

02/26/2021

Re. Cremeens Driveway/Los Mochas Road Users Association

Camino Real Ranger District
.3 mile of driveway off NM518
Taos County, NM
Sec. 4, T22N, R13E.

Current property owners seek authorization to use and maintain an access road measuring 1100 feet in length by 12 feet in width. The road is located adjacent to SR 518 on the Camino Real Ranger District. Approximately 480 feet of the road is currently hardened/paved, with the remainder being surfaced with gravel. Other existing improvements include two turn-arounds and one fence gate. The road is currently maintained by the landowner(s) to include gravel surfacing, blading, and snow removal during the winter.

To Whom It May Concern:

I. National Historic Preservation Act (NHPA) Sec. 106 Exemption for Use Permitting

In accordance with *FIRST AMENDED PROGRAMMATIC AGREEMENT REGARDING HISTORIC PROPERTY PROTECTION AND RESPONSIBILITIES AMONG NEW MEXICO HISTORIC PRESERVATION OFFICER AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION AND UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE REGION 3; APPENDIX A.II.A. (CONSULTATION REQUIREMENTS; Exemptions; Permits, easements, rights-of-way, and leases that do not authorize surface disturbance or have the potential to affect historic structures or traditional cultural properties)*, the following Forest Service activities are exempt from further review and consultation as this class of undertaking has predictable effects and a very low likelihood of affecting historic properties.

This exemption is intended to address related National Environmental Policy Act (NEPA) analysis resulting in a Categorical Exclusion (CE) decision to issue a Special Use Permit (SUP) for the aforementioned road/driveway, already in existence.

II. NHPA Sec. 106 Exemption for Maintenance Permitting

Permit issuance and resulting ground disturbance for the aforementioned driveway/road is hereby authorized in accordance with *FIRST AMENDED PROGRAMMATIC AGREEMENT REGARDING HISTORIC PROPERTY PROTECTION AND RESPONSIBILITIES AMONG NEW MEXICO HISTORIC PRESERVATION OFFICER AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION AND UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE REGION 3; APPENDIX A.III.B. (CONSULTATION REQUIREMENTS; Screened Exemptions; Road Maintenance)*:

“Routine road maintenance in the existing road prism where work is within previously maintained surfaces, ditches, culverts, and cut and fill slopes and where there are no known historic properties or historic properties would not be affected because proposed work is clearly within disturbed contexts. In reviewing road maintenance projects, Forest Archaeologists will consider:

1. the nature and location of the road
2. the specific maintenance activities proposed
3. the presence or absence of known sites within or immediately adjacent to the road right-of-way
4. site density or other local factors that might raise historic property concerns about a specific project”

Respectfully,



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